



## Legislation Text

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**File #:** 2016-3793, **Version:** 1

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Consider a resolution authorizing the Mayor to execute an Annexation Development Agreement with Avery Ranch Company, Ltd. and Avery Exempt Trusts for a 81.66 acre tract of land.

The subject resolution authorizes the Mayor to sign an Annexation Development Agreement for 81.66 acres in the City's ETJ. The agreement's tracts are located near the northeast corner of the ETJ, along University Boulevard, south of the Vizcaya subdivision. All of the acreage is in agricultural use and claims the agricultural tax exemption. Based on the City Council direction as part of the Strategic Plan and the Annexation Prioritization study presented by staff in 2014, these properties were identified as a feasible and logical properties to be annexed due to their location near developing areas and their proximity to major roads. However, prior to annexation of an area that is appraised for ad valorem tax purposes as agricultural, wildlife management, or timber management, the City is required by statute to offer the land owner an annexation development agreement. This agreement guarantees the land's immunity from annexation for a period of 15 years, as long as the land is used for agricultural, wildlife management, timber production, or existing residential use only. This agreement also authorizes the City to enforce all regulations and planning authority of the city, except those that would interfere with agricultural purposes, wildlife management or timber production.

By accepting the agreement, the landowner agrees that the city's AG-Agricultural zoning requirements apply to the property, and that the property will only be used for AG zoning uses. This agreement runs with the land for a period of 15 years. If the current or a future landowner seeks to develop the property or change its use, that action will constitute a petition for voluntary annexation, and the property will be subject to annexation at the direction of the City Council. Within 30 days of annexation, the property will be zoned in conformance with the City's General Plan, or as agreed to by the City and the Owner. The current version of the Future Land Use Map shows the property to have residential or open space designations.

Staff Recommends approval